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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/695,521

**Applicant(s)**

MAHONEN ET AL.

**Examiner**

STEVEN LIM

**Art Unit**

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 November 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1, 3-9, 12, 16-18 and 22-47 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3-9, 12, 16-18 and 22-47 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB06)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ ~~Notice of Informal Patent Application~~
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/12/2009 has been entered.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.

2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. Claims 1, 3-7, 9,12, 16-18, 22-26, 28-36, 38-43, and 45-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Littleton et al. (US 20030023759) in view of Suonpera et al. (US 20010041592) and Bluetooth SIG (Bluetooth Specification Version 1.1, Object Push Profile, 22 Feb 2001).

4. Regarding Claims 1, 9, 12, 16, 17, 18, 23, 32, and 39, Littleton et al. discloses a synchronization system including memory (medium) storing computer program code (instructions), a processor executing the code (Claim 18), the system comprising two synchronization devices (PDA and PC) and where the first synchronization device (PDA) comprises a user data unit (contact information including phone numbers and addresses, Paragraph 15), defining in the synchronization system through a database, binding data (contact record and service features, Paragraph 15 and 22) which associates a user data identifier (phone number, Paragraph 22) identifying the user data unit with an identifier for identifying (speed dial is an identifier, Paragraph 22) at least one function of the first synchronization device (Paragraph 22), performing a synchronization step between the first synchronization device and the second synchronization device, the step comprising transferring the user data unit and the binding data from the first device to the second device (service features and phone numbers are compressed and sent to PC, Paragraphs 23 and 25), however Littleton et al. fails to disclose in response to the performance of the first synchronization step

performing a second synchronization step with the second synchronization device, the step comprising transferring the binding data from the synchronization device to the second synchronization device for forming binding between the user data unit and at least one function of the second synchronization device in the second synchronization device in accordance with the binding data received during the second synchronization step, wherein the second synchronization device is a mobile communications device configured to synchronize the binding data to another mobile communications device to form binding in the mobile communications device in accordance with the binding data and both synchronization devices are mobile communication devices.

5. In an analogous art, Suonpera et al. discloses in response to the performance of the first synchronization step (synchronization starts with transferring phonebook records, Paragraph 61) performing a second synchronization step with the second synchronization device (after phonebook is read for transfer then application reads and stores the message content, profile setting, the phone and call settings for transfer, Paragraph 61) the step comprising transferring the binding data from the synchronization device to the second synchronization device for forming binding between the user data unit and at least one function of the second synchronization device in the second synchronization device (transfer of personal information includes voice tags used to implement voice dialing, Paragraph 64) in accordance with the binding data received during the second synchronization step (voice tag associated with phone book records, Paragraph 64), wherein the second synchronization device is a mobile communications device or a synchronization server (Paragraph 3) configured to

synchronize the binding data to a mobile communications device to form binding in the mobile communications device in accordance with the binding data (data is transferred from phone to phone or from phone to computer to phone, Paragraph 3), which enables the user to easily change phones (Paragraph 3).

6. In an analogous art, Bluetooth SIG discloses synchronization devices including a mobile phone communicating directly with a second mobile phone to exchange data (exchange business cards using Bluetooth, Page 345 Section 1.1, and Page 353-354, Section 3.3.3), which enables the system to adhere to the Bluetooth standard.

7. It would have been obvious to one having ordinary skill in the art at the time of invention was made to have a second synchronization step to transfer binding data in order to synchronize all settings of a first phone to a second phone because phones include many functions that are related to the phonebook and contact list.

8. It would have been obvious to one having ordinary skill in the art at the time of invention was made to communicate between two mobile phones in order to allow efficient transfers between commonly carried devices using a standard Bluetooth protocol.

9. Regarding Claim 3, Littleton et al. further discloses the binding data (contact record and service feature or data fields, Paragraph 15 and 22) associates the user data unit (information within and organized by the contact record, Paragraph 15) with a resource identifier (phone number, Paragraph 15), which is used by at least one application (address book database application, Paragraph 20).

10. Regarding Claim 4, Littleton et al. further discloses the binding data (contact record and service feature or data fields, Paragraph 15 and 22) associates the user data unit (information within and organized by the contact record) with a device data unit (anonymous call reject service feature) which is a data unit affecting the operation of the second synchronization device (Paragraph 20 and 22).

11. Regarding Claim 5, Littleton et al. further discloses the user data unit is a phone number (Paragraph 15) and the binding data (contact record and service feature or data fields, Paragraph 15 and 22) associates the user data unit with a device data unit, which is a speed dial number (speed dial, Paragraph 22).

12. Regarding Claim 6, Littleton et al. further discloses the user data unit is a phone number (Paragraph 15) and the binding data (contact record and service feature or data fields, Paragraph 15 and 22) associates the user data unit with a device data unit, which is the identifier of a caller group (distinctive ring on a group, Paragraph 20).

13. Regarding Claim 7, Littleton et al. further discloses synchronizing the device data unit from the first synchronization unit to the second synchronization unit in connection with the synchronization of the user data unit (synchronization is two way between PC and PDA, Paragraph 34).

14. Regarding Claim 22, Littleton et al. further discloses the binding data (contact record and service feature or data fields, Paragraph 15 and 22) associates the user data unit (contact record) with a device data unit (anonymous call reject service feature) which is a data unit affecting the operation of the second synchronization device (Paragraph 20 and 22).

15. Regarding Claim 24, Littleton et al. further discloses the binding data (contact record and service feature or data fields, Paragraph 15 and 22) associates the user data unit (information within and organized by the contact record) with a device data unit (anonymous call reject service feature) which is a data unit affecting the operation of the second synchronization device (Paragraph 20 and 22).

16. Regarding Claim 25, Littleton et al. further discloses the user data unit is a phone number (Paragraph 15) and the binding data (contact record and service feature or data fields, Paragraph 15 and 22) associates the user data unit with a device data unit, which is a speed dial number (speed dial, Paragraph 22).

17. Regarding Claim 26, Littleton et al. further discloses the user data unit is a phone number (Paragraph 15) and the binding data (contact record and service feature or data fields, Paragraph 15 and 22) associates the user data unit with a device data unit, which is the identifier of a caller group (distinctive ring on a group, Paragraph 20).

18. Regarding Claim 28, Littleton et al. further discloses the binding data (contact record and service feature or data fields, Paragraph 15 and 22) associates the user data unit (information contained in and organized by the contact record, Paragraph 15) with a resource identifier (phone number, Paragraph 15), which is used by at least one application (address book database application, Paragraph 20).

19. Regarding Claim 29, Littleton et al. further discloses a synchronization system however Littleton et al. fails to disclose the synchronization device is configured to check whether the second mobile communications device supports binding data synchronization, and transmit the binding data to the second mobile communications



device in the second synchronization step in response to the fact that the mobile communications device supports binding data synchronization.

20. In an analogous art, Bluetooth SIG discloses the synchronization device is configured to check whether the second mobile communications device supports binding data synchronization (list of push servers are displayed, Page 353, Section 3.3.3), and transmit the binding data to the second mobile communications device in the second synchronization step in response to the fact that the mobile communications device supports binding data synchronization (user selects push server to exchange business cards with and user prompted to select another device if service is not supported and error code sent when feature not supported, Page 353, Section 3.3.3, and Page 355, Section 4.1), which enables the system to adhere to the Bluetooth standard protocol.

21. It would have been obvious to one having ordinary skill in the art at the time of invention was made to check whether the second device supports binding data synchronization in order to adhere to Bluetooth protocol standards.

22. Regarding Claim 30, Littleton et al. further discloses controlling the synchronization device to check if the user data units defined in the binding data have been transmitted to the second synchronization device (Fig. 3, Item 330) and controlling the synchronization device to transmit any missing user data units to the second synchronization device (Fig. 3, Item 350).

23. Regarding Claim 31, Littleton et al. further discloses the apparatus is arranged to synchronize binding data formed by another device (Fig. 3, Item 350 and 360).

24. Regarding Claim 33, Littleton et al. further discloses the binding data (contact record and service feature or data fields, Paragraph 15 and 22) associates the user data unit (information within and organized by the contact record) with a device data unit (anonymous call reject service feature) which is a data unit affecting the operation of the apparatus (Paragraph 20 and 22).

25. Regarding Claim 34, Littleton et al. further discloses the user data unit is a phone number (Paragraph 15) and the binding data (contact record and service feature or data fields, Paragraph 15 and 22) associates the user data unit with a device data unit, which is a speed dial number (speed dial, Paragraph 22).

26. Regarding Claim 35, Littleton et al. further discloses the user data unit is a phone number (Paragraph 15) and the binding data (contact record and service feature or data fields, Paragraph 15 and 22) associates the user data unit with a device data unit, which is the identifier of a caller group (distinctive ring on a group, Paragraph 20).

27. Regarding Claim 36, Littleton et al. further discloses the binding data (contact record and service feature or data fields, Paragraph 15 and 22) associates the user data unit (information within and organized by the contact record, Paragraph 15) with a resource identifier (phone number, Paragraph 15), which is used by at least one application (address book database application, Paragraph 20).

28. Regarding Claim 38, Littleton et al. further discloses the apparatus is a mobile terminal (a PDA is a mobile terminal, Paragraphs 13 and 14).

29. Regarding Claim 40, Littleton et al. further discloses the binding data (contact record and service feature or data fields, Paragraph 15 and 22) associates the user

data unit (information within and organized by the contact record) with a device data unit (speed dial feature) which is a data unit affecting the operation of the first mobile communications device (PC is affected by updating of the contact record to include speed dial phone numbers which are matched to user data, Paragraph 20 and 22).

30. Regarding Claim 41, Littleton et al. further discloses the user data unit is a phone number (Paragraph 15) and the binding data (contact record and service feature or data fields, Paragraph 15 and 22) associates the user data unit with a device data unit, which is a speed dial number (speed dial, Paragraph 22).

31. Regarding Claim 42, Littleton et al. further discloses the user data unit is a phone number (Paragraph 15) and the binding data (contact record and service feature or data fields, Paragraph 15 and 22) associates the user data unit with a device data unit, which is the identifier of a caller group (distinctive ring on a group, Paragraph 20).

32. Regarding Claim 43, Littleton et al. further discloses the binding data (contact record and service feature or data fields, Paragraph 15 and 22) associates the user data unit (information within and organized by the contact record, Paragraph 15) with a resource identifier (phone number, Paragraph 15), which is used by at least one application (address book database application, Paragraph 20).

33. Regarding Claim 45, Littleton et al. further discloses a synchronization system however Littleton et al. fails to disclose the synchronization device is a mobile terminal.

34. In an analogous art, Bluetooth SIG discloses synchronization devices including a mobile phone communicating directly with a second mobile phone to exchange data

(exchange business cards using Bluetooth, Page 345 Section 1.1, and Page 353-354, Section 3.3.3), which enables the system to adhere to the Bluetooth standard.

35. It would have been obvious to one having ordinary skill in the art at the time of invention was made to communicate between two mobile phones in order to allow efficient transfers between commonly carried devices using a standard Bluetooth protocol.

36. Regarding Claim 46, Littleton et al. further discloses a synchronization system however Littleton et al. fails to disclose the synchronization device is configured to check whether the second mobile communications device supports binding data synchronization, and transmit the binding data to the second mobile communications device in the second synchronization step in response to the fact that the mobile communications device supports binding data synchronization.

37. In an analogous art, Bluetooth SIG discloses the synchronization device is configured to check whether the second mobile communications device supports binding data synchronization (list of push servers are displayed, Page 353, Section 3.3.3), and transmit the binding data to the second mobile communications device in the second synchronization step in response to the fact that the mobile communications device supports binding data synchronization (user selects push server to exchange business cards with and user prompted to select another device if service is not supported and error code sent when feature not supported, Page 353, Section 3.3.3, and Page 355, Section 4.1), which enables the system to adhere to the Bluetooth standard protocol.

38. It would have been obvious to one having ordinary skill in the art at the time of invention was made to check whether the second device supports binding data synchronization in order to adhere to Bluetooth protocol standards.

39. Regarding Claim 47, Littleton et al. further discloses a synchronization system however Littleton et al. fails to disclose the synchronization device is configured to check whether the second mobile communications device supports binding data synchronization, and transmit the binding data to the second mobile communications device in the second synchronization step in response to the fact that the mobile communications device supports binding data synchronization.

40. In an analogous art, Bluetooth SIG discloses the synchronization device is configured to check whether the second mobile communications device supports binding data synchronization (list of push servers are displayed, Page 353, Section 3.3.3), and transmit the binding data to the second mobile communications device in the second synchronization step in response to the fact that the mobile communications device supports binding data synchronization (user selects push server to exchange business cards with and user prompted to select another device if service is not supported and error code sent when feature not supported, Page 353, Section 3.3.3, and Page 355, Section 4.1), which enables the system to adhere to the Bluetooth standard protocol.

41. It would have been obvious to one having ordinary skill in the art at the time of invention was made to check whether the second device supports binding data synchronization in order to adhere to Bluetooth protocol standards.

42. Claims 8, 27, 37, and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Littleton et al. (US 20030023759) in view of Suonpera et al. (US 20010041592) and Bluetooth SIG (Bluetooth Specification Version 1.1, Object Push Profile, 22 Feb 2001) and further in view of Hepper et al. (US 20030220966).

43. Regarding Claims 8 and 27, Littleton et al. further discloses the synchronization device is a server (Fig. 1, Item 106) and the other synchronization device is a PC (Fig. 1, Item 104) or client device PDA (Fig. 1, Item 102) and where the second synchronization device maintains a binding data table (server database, Fig. 1, Item 140) which associates the user data unit with identifier related to the device (service feature call forwarding dictates that calls received from a specific phone number will not be received and should be forwarded to another number, Paragraph 22), however Littleton et al. fails to disclose the server and client using a synchronization markup language.

44. In an analogous art, Hepper et al. discloses clients and servers using a synchronization markup language for synchronization of information in databases (systems which uses SyncML include clients that use SyncML, Paragraph 24), which enables information to be annotated in a syntactically distinguishable form.

45. It would have been obvious to one having ordinary skill in the art at the time of invention was made for the clients and servers to use a synchronization markup language in order to allow information to be annotated in a syntactically distinguishable form.

46. Regarding Claim 37, Littleton et al. further discloses the synchronization device is a server (Fig. 1, Item 106) and the other synchronization device is a PC (Fig. 1, Item 104) or client device PDA (Fig. 1, Item 102) and where the second synchronization device maintains a binding data table (server database, Fig. 1, Item 140) which associates the user data unit with identifier related to the device (service feature call forwarding dictates that calls received from a specific phone number will not be received and should be forwarded to another number, Paragraph 22), however Littleton et al. fails to disclose the server and client using a synchronization markup language and the user data unit and associated device relation are associated and identified by LUIDs or GUIDs.

47. In an analogous art, Hepper et al. discloses clients and servers using a synchronization markup language for synchronization of information in databases (systems which uses SyncML include clients that use SyncML, Paragraph 24) and where each record is identified by a LUID and a LUID is associated to a Server ID or GUID (Paragraph 29), which enables information to be annotated in a syntactically distinguishable form and each record to be uniquely identified

48. It would have been obvious to one having ordinary skill in the art at the time of invention was made for the clients and servers to use a synchronization markup language in order to allow information to be annotated in a syntactically distinguishable form and to associate the user data unit and device to LUIDs in order to uniquely identify a record and who it belongs to.

49. Regarding Claim 44, Littleton et al. further discloses the synchronization device is a server (Fig. 1, Item 106) and the other synchronization device is a PC (Fig. 1, Item 104) or client device PDA (Fig. 1, Item 102) and where the second synchronization device maintains a binding data table (server database, Fig. 1, Item 140) which associates the user data unit with identifier related to the device (service feature call forwarding dictates that calls received from a specific phone number will not be received and should be forwarded to another number, Paragraph 22), however Littleton et al. fails to disclose the server and client using a synchronization markup language and the user data unit and associated device relation are associated and identified by LUIDs or GUIDs.

50. In an analogous art, Hepper et al. discloses clients and servers using a synchronization markup language for synchronization of information in databases (systems which uses SyncML include clients that use SyncML, Paragraph 24) and where each record is identified by a LUID and a LUID is associated to a Server ID or GUID (Paragraph 29), which enables information to be annotated in a syntactically distinguishable form and each record to be uniquely identified

51. It would have been obvious to one having ordinary skill in the art at the time of invention was made for the clients and servers to use a synchronization markup language in order to allow information to be annotated in a syntactically distinguishable form and to associate the user data unit and device to LUIDs in order to uniquely identify a record and who it belongs to.



***Response to Arguments***

52. Applicant's arguments with respect to claim 1, 3-9, 12, 16-18, and 22-47 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven Lim whose telephone number is (571) 270-1210. The examiner can normally be reached on Mon-Thurs 9:00am-4:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on (571)272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Examiner, Art Unit 2617

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